

**EXEMPTION LIST FOR THE
STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF STATE PARKS
AS REVIEWED AND CONCURRED UPON BY THE ENVIRONMENTAL COUNCIL
(DOCKET 91-EX-1)
DECEMBER 4, 1991**

HISTORICAL NOTE

As a result of a review and concurrence proceeding (Docket 91-EX-1) conducted by the Environmental Council on December 4, 1991, this amended exemption list by the Department of Land and Natural Resources, Division of State Parks, supersedes the Division of State Parks exemption list reviewed and concurred upon by the now defunct Environmental Quality Commission on May 25, 1978. Prior to May 25, 1978, the Environmental Quality Commission reviewed and concurred on a Division of State Parks exemption list on February 5, 1976.

Prior to 1984, the Environmental Quality Commission was vested with the responsibility for exemption list review and concurrence. However, Act 140, Session Laws of Hawaii, Regular Session of 1983, abolished the Environmental Quality Commission and created a new Environmental Council. The new Environmental Council was vested with responsibility for exemption list review and concurrence activities of the former Environmental Quality Commission.

DIVISION EXEMPTION LIST

Section 343-6(7) of the Hawaii Revised Statutes authorizes the Environmental Council to establish procedures whereby specific types of actions, because they will probably have minimal or no significant effects on the environment, are declared exempt from the preparation of an environmental assessment. Pursuant to the administrative rules promulgated under authority of section 343-6(7) of the Hawaii Revised Statutes by the Environmental Council, specifically section 11-200-8(d) of the Hawaii Administrative Rules, Department of Health (HAR); the Department of Land and Natural Resources, Division of State Parks, State of Hawaii, has determined that the following types of actions, where they fall within the given classes of action, shall generally be exempt from the preparation of an environmental assessment. The Environmental Council, after reviewing the Department's request to amend the May 25, 1978, Division of State Parks exemption list, has concurred on this amended Division exemption list containing actions under exemption classes 1, 2, 3, 4, 5, and 6.

EXEMPTION CLASS 1

Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing [HAR §11-200-8(a)(1)].

1. Irrigation structure, facilities and waterways -- within developed, maintained portions of State Parks [February 5, 1976].

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2. Roads, road structures, roadways and trails -- within developed, maintained portions of State Parks [February 5, 1976].
3. Cabins, pavilions, picnic and trail shelters, utility buildings and shed -- within developed, maintained portions of State Parks [February 5, 1976].
4. Pumps and controls, pipes and channels, dikes, water storage tanks and water sources -- within developed, maintained portions of State Parks [February 5, 1976].
5. Camp and picnic grounds and facilities, scenic viewpoints -- within developed, maintained portions of State Parks [February 5, 1976].
6. Offices, baseyards, and ground -- within developed, maintained portions of State Parks [February 5, 1976].
7. Fences and gates -- within developed, maintained portions of State Parks [February 5, 1976].
8. Revegetation of burned or eroded areas -- within developed, maintained portions of State Parks [February 5, 1976].

NOTE: At the December 4, 1991 review and concurrence proceeding (Environmental Council Docket 91-EX-1), the Environmental Council concurred on the addition of the actions 9 and 10 to exemption class 1 with concurrent deletion of exemption class 6 found in the May 25, 1978 list. Refer to the note at exemption class 6 [December 4, 1991].

9. Acquisition, but not improvement, of property for park use, and minor subdivision and consolidation of parcels necessary for acquisition of property for park use [December 4, 1991; also replaces the action "consolidation of parcels for State Parks use" found under exemption class 6 in the May 25, 1978 division exemption list].
10. Subdivision/consolidation of public park lands and their transfer between the State and other public agencies for continuing park use [December 4, 1991].

EXEMPTION CLASS 2

Replacement or reconstruction of existing structure and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced [HAR 511-200-8(a)(2)].

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1. Cabin, pavilion, picnic or trail shelter, utility building or shed -- within developed, maintained portions of State Parks [February 5, 1976].
2. Pump and controls, pipe, channel or dike -- within developed, maintained portions of State Parks [February 5, 1976].
3. Roads, road structures or trails -- within developed, maintained portions of State Parks [February 5, 1976].

EXEMPTION CLASS 3

Construction and location of single, new, small facilities or structures and the alteration and modification of same and installation of new, small, equipment and facilities and the alteration and modification of same including but not limited to: (A) Single family residences not in conjunction with the building of two or more such units; (B) Multi-unit structures designed for not more than four dwelling units if not in conjunction with the building of two or more such structures; (C) Stores, offices and restaurants, designed for total occupant load of twenty persons or less, if not in conjunction with the building of two or more such structures; and (D) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structure or facilities; and accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences [HAR §11-200-8(a)(3)].

1. Construction of enclosures for park trash containers; addition of trash containers [February 5, 1976].
2. Construction of park comfort stations with accommodations of 10 or less toilets and urinals [February 5, 1976].
3. Construction of park pavilion and picnic shelters containing areas of less than 2,000 square feet [February 5, 1976].
4. Construction of park picnic tables [February 5, 1976].
5. Construction of off-street parking facilities having capacities of less than 50 stalls per park [February 5, 1976].
6. Construction of park irrigation ditches, flumes and structures having less than 200 gpm [February 5, 1976].
7. Construction of park water and underground utility systems (waterlines limited to 2-1/2" I.D.) [February 5, 1976].

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8. Overhead utility systems that use existing utility poles within parks [February 5, 1976].
9. Construction of park picnic stoves, cooking grills and BBQ's [February 5, 1976].
10. Construction of park directional, identification, safety and interpretive signs [February 5, 1976].
11. Construction of park caretaker's residence (limited to one residence per park) [February 5, 1976].
12. Construction of attached and detached park caretaker's garage and carport accommodating up to 3 cars [February 5, 1976].
13. Construction of park storage and utility building containing areas of less than 2,000 square feet [February 5, 1976].
14. Construction of park fencing [February 5, 1976].
15. Construction of park drainage swales and structures (where Q less than 500 cfs) [February 5, 1976].
16. Construction of park safety railings and retaining walls of less than 10' height (excluding sea walls) [February 5, 1976].
17. Construction of park roadways with distances of less than 1,000 yards (excluding access roads) [February 5, 1976].
18. Construction of park walkways [February 5, 1976].
19. Construction of park walkways and parking area lights [February 5, 1976].
20. Construction of park outdoor showers [February 5, 1976].
21. Construction of park cabins that contain area of less than 1,000 square feet [February 5, 1976].

EXEMPTION CLASS 4

Minor alteration in the conditions of land, water, or vegetation [HAR §11-200-8(a)(4)].

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1. Minor alteration of retaining walls within developed, maintained portion of State Parks [February 5, 1976].
2. Minor drainage ditch within developed, maintained portions of State Parks [February 5, 1976].
3. Cutting or filling that involves less than 1,500 cubic yards of rock and soil within parks [February 5, 1976].
4. New landscaping within existing developed, park where the area landscaped is less than 5 acres [February 5, 1976].

EXEMPTION CLASS 5

Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource [HAR § 11-200-8(a)(5)].

1. Topographic and site instrument surveys within park boundaries [February 5, 1976].
2. Walk through archaeological surveys within park boundaries [February 5, 1976].

EXEMPTION CLASS 6

Construction or placement of minor structures accessory to existing facilities [HAR § 11-200-8(a)(6)].

NOTE: At the December 4, 1991 review and concurrence proceeding (Environmental Council Docket 91-EX-1), the Environmental Council concurred on the addition of actions 9, 10 under exemption class 1 with concurrent deletion of the May 25, 1978, exemption class 6 and the action found thereunder ("Consolidation of parcels for State Parks use"). The Council concurred with the deletions, since the class of action under the May 25, 1978 list is no longer existent, and since the action under the exemption class 6 found in the May 25, 1978 list is included as action 9 under exemption class 1 of this list. Actions under exemption class 7 of the May 25, 1978 list are being transferred to exemption class 6 under the current administrative rules [December 4, 1991].

1. Construction or placement within developed, maintained portions of State Parks [February 5, 1976; transferred from exemption class 7, December 4, 1991].

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- 2. Driveways within developed, maintained portions of State Parks [February 5, 1976; transferred from exemption class 7, December 4, 1991].**
- 3. Exterior lights within developed, maintained portions of State Parks [February 5, 1976; transferred from exemption class 7, December 4, 1991].**
- 4. Water catchments, lines and faucets, within developed, maintained portions of State Parks [February 5, 1976; transferred from exemption class 7, December 4, 1991].**
- 5. Placement or construction in established State parks of all water tanks and of all gas tanks for fueling cooking stoves installed in existing cabins [May 25, 1978; transferred from exemption class 7, December 4, 1991].**

NOTE

Pursuant to HAR §11-200-8(b), all exemptions under the classes in this section are inapplicable when the cumulative impact of planned successive actions of the same type, in the same place, over time, is significant, or when an action that is normally insignificant in its impact on the environment may be significant in a particularly sensitive environment.